

Notice of Allowability

Application No.

10/710,996

Applicant(s)

GINSBERG, NAVARRE STEPHEN

Examiner

Robert P. Swiatek

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview of 28 March 2007.
2. ☒ The allowed claim(s) is/are 1-5, 7 and 9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☒ Interview Summary (PTO-413),
Paper No./Mail Date 4-13-07.
- ☒ Examiner's Amendment/Comment
- ☐ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

Robert P. Swiatek
ROBERT P. SWIATEK
PRIMARY EXAMINER
ART UNIT 3643

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Navarre Ginsburg on 28 March 2007.

The application has been amended as follows: In claim 1 (amended version filed 4 December 2006), line 5, the words –at least one– have been inserted before “opening,” in line 6, the second occurrence of “the” has been changed to –a–, in line 7, “hole” has been changed to –at least one opening–, in line 8, the semicolon has been changed to the phrase –, a horizontally oriented distribution wheel rotatable about its vertical transverse axis, disposed to encounter and scatter the animal feed,–, in lines 5, 9, each occurrence of the semicolon has been changed to a comma, in line 9, the word –the– has been inserted before the first occurrence of “rotation”; in claim 2, line 1, the words –at least one– have been inserted before “opening”; in claim 7, line 1, “6” has been changed to –1–; claims 6, 8, 10, 11 have been canceled; in the specification, page 1, lines 2, 6, 11, 13, 15, 21, all semicolons have been deleted, on page 2, lines 1, 8, 12, 14, 16, 20, the semicolons have been deleted, on page 3, lines 4, 10, 16, 22, all semicolons have been deleted, on page 4, lines 2, 5, 17, 26, all semicolons have been deleted, on page 5, lines 8, 11, 19, 25, all semicolons have been deleted, on page 6, lines 5, 9, 14, the semicolons have been deleted.

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This case is being passed to issue with allowed claims 1-5, 7, 9, renumbered as claims 1-7.

RPS: 571/272-6894

13 April 2007

Robert P. Swiatek

ROBERT P. SWIATEK
PRIMARY EXAMINER
ART UNIT ~~32~~ 3643